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 Defendant
 RAMBUS INC.

UNITED STATES DISTRICT COURT
 NORTHERN DISTRICT OF CALIFORNIA, SAN JOSE DIVISION

HYNIX SEMICONDUCTOR INC., et al.,

 Plaintiffs,

 v.

 RAMBUS INC.,

 Defendant.

CASE NO.: CV 00-20905 RMW

**RAMBUS INC.'S [PROPOSED] VERDICT
 FORM PURSUANT TO FED. R. CIV. PROC.
 49(A)**

Trial Date: January 29, 2008
 Time: 1:30 p.m.
 Location: Courtroom 6
 Judge: Hon. Ronald M. Whyte

RAMBUS INC.,

 Plaintiff,

 v.

 HYNIX SEMICONDUCTOR INC., et al.,

 Defendants.

CASE NO.: C 05-00334 RMW

RAMBUS INC.,

Plaintiff,

vs.

MICRON TECHNOLOGY INC. and
MICRON SEMICONDUCTOR
PRODUCTS, INC.,

Defendants.

CASE NO.: C-06-00244 RMW

For purposes of the following questions, Rambus Inc. will be referred to as “Rambus;” Hynix Semiconductor Inc., Hynix Semiconductor America, Inc., Hynix Semiconductor U.K. Ltd., and Hynix Semiconductor Deutschland GmbH shall be referred to as “Hynix;” Micron Technology, Inc. and Micron Semiconductor Products, Inc. shall be referred to as “Micron;” and Nanya Technology Corporation and Nanya Technology Corporation U.S.A. shall be referred to as “Nanya.”

WE, THE JURY IN THE ABOVE ENTITLED ACTION, FIND THE FOLLOWING SPECIAL VERDICT ON THE FOLLOWING QUESTIONS SUBMITTED TO US:

I. CLAIM OF MONOPOLIZATION

1. Do you find that Hynix, Nanya and Micron have met their burden of proving the existence of any of the following alleged markets:

a. a market for latency technology

Yes _____ No _____

b. a market for burst length technology

Yes _____ No _____

c. a market for data acceleration technology

Yes _____ No _____

d. a market for clock synchronization technology

Yes _____ No _____

e. a market for auto precharge technology

Yes _____ No _____

f. a market for write latency technology

Yes _____ No _____

2. If your answer to all subparts of question 1 is “No,” please proceed to Section III.

If your answer to any subpart of question 1 is “Yes,” please proceed to question 3, below.

3. Do you find that Hynix, Nanya and Micron have met their burden of proving that, prior to Rambus’s withdrawal from JEDEC, there were close substitutes available to JEDEC for the following:

a. programmable CAS latency

Yes _____ No _____

b. programmable burst length

Yes _____ No _____

c. dual edge clocking

Yes _____ No _____

d. on-chip DLL

Yes _____ No _____

e. auto precharge

Yes _____ No _____

f. programmable write latency

Yes _____ No _____

4. If your answer to all subparts of question 3 is “No,” please proceed to Section III.

If your answer to any subpart of question 3 is “Yes,” please proceed to question 5.

5. Do you find that Hynix, Nanya and Micron have met their burden of proving that Rambus has monopoly power in any of the following alleged markets?

a. a market for latency technology

Yes _____ No _____

b. a market for burst length technology

Yes _____ No _____

c. a market for data acceleration technology

Yes _____ No _____

d. a market for clock synchronization technology

Yes _____ No _____

e. a market for auto precharge technology

Yes _____ No _____

f. a market for write latency technology

Yes _____ No _____

6. If your answer to all subparts of question 5 is “No,” you should proceed to Section II.

If your answer to any subpart of question 5 is “Yes,” please proceed to question 7.

7. Do you find that Hynix, Nanya and Micron have met their burden of proving by clear and convincing evidence that Rambus willfully acquired monopoly power in a relevant market through anticompetitive conduct rather than competition on the merits?

Yes _____ No _____

8. If your answer to question 7 is “No,” you should proceed to Section II.

If your answer to question 7 is “Yes,” please proceed to question 9.

9. Do you find that Rambus had a legitimate business reason for the acts or omissions that resulted in its monopoly power?

Yes _____ No _____

10. If your answer to question 9 is “Yes,” please proceed to Section III.

If your answer to question 9 is “No,” please proceed to question 11.

11. Do you find that Hynix, Nanya and Micron have met their burden of proving that Rambus’s alleged unlawful conduct caused the standard-setting organization, JEDEC, to adopt a standard it otherwise would have rejected?

Yes _____ No _____

12. If your answer to question 11 is “No,” please proceed to Section III.

If your answer to question 11 is “Yes,” please proceed to question 13.

13. Do you find that Hynix, Nanya and Micron have met their burden of proving that the adoption of the standard gave Rambus monopoly power it would not otherwise have obtained?

Yes _____ No _____

14. If your answer to question 13 is “No,” please proceed to Section III.

If your answer to question 13 is “Yes,” please proceed to question 15.

Additional Question Regarding Hynix

15. Do you find that Hynix has met its burden of proving that Hynix was injured in its business or property because of Rambus’s anticompetitive conduct?

Yes _____ No _____

Please proceed to question 16.

Additional Question Regarding Nanya

16. Do you find that Nanya has met its burden of proving that Nanya was injured in its business or property because of Rambus’s anticompetitive conduct?

Yes _____ No _____

Please proceed to question 17.

Additional Question Regarding Micron

17. Do you find that Micron has met its burden of proving that Micron was injured in its business or property because of Rambus's anticompetitive conduct?

Yes _____ No _____

Please proceed to Section II.

II. CLAIM OF ATTEMPTED MONOPOLIZATION

18. Do you find that Hynix, Nanya and Micron have met their burden of proving by clear and convincing evidence that Rambus engaged in anticompetitive conduct rather than competition on the merits?

Yes _____ No _____

19. If your answer to question 18 is "No," please proceed to Section III.

If your answer to question 18 is "Yes," please proceed to question 20.

20. Do you find that Rambus had a legitimate business reason for its conduct?

Yes _____ No _____

21. If your answer to question 20 is "Yes," please proceed to Section III.

If your answer to question 20 is "No," please proceed to question 22.

22. Do you find that Hynix, Nanya and Micron have met their burden of proving that Rambus had a specific intent to achieve monopoly power in a relevant market?

Yes _____ No _____

23. If your answer to question 22 is "No," please proceed to Section III.

If your answer to question 22 is "Yes," please proceed to question 24.

b. a market for burst length technology

Yes _____ No _____

c. a market for data acceleration technology

Yes _____ No _____

d. a market for clock synchronization technology

Yes _____ No _____

e. a market for auto precharge technology

Yes _____ No _____

f. a market for write latency technology

Yes _____ No _____

Please proceed to question 28.

28. Do you find that Hynix, Nanya and Micron have met their burden of proving that Rambus's alleged unlawful conduct caused the standard-setting organization, JEDEC, to adopt a standard it otherwise would have rejected?

Yes _____ No _____

29. If your answer to question 28 is "No," please proceed to Section III.

If your answer to question 28 is "Yes," please proceed to question 30.

30. Do you find that Hynix, Nanya and Micron have met their burden of proving that the adoption of the standard gave Rambus monopoly power it would not otherwise have obtained?

Yes _____ No _____

31. If your answer to question 30 is "No," please proceed to Section III.

If your answer to question 30 is "Yes," please proceed to question 32.

Additional Question Regarding Hynix

32. Do you find that Hynix has met its burden of proving that Hynix was injured in its business or property because of Rambus's anticompetitive conduct?

Yes _____ No _____

Please proceed to question 33.

Additional Question Regarding Nanya

33. Do you find that Nanya has met its burden of proving that Nanya was injured in its business or property because of Rambus's anticompetitive conduct?

Yes _____ No _____

Please proceed to question 34.

Additional Question Regarding Micron

34. Do you find that Micron has met its burden of proving that Micron was injured in its business or property because of Rambus's anticompetitive conduct?

Yes _____ No _____

Please proceed to Section III.

III. CLAIM OF INTENTIONAL MISREPRESENTATION

35. Did Rambus make a representation as to a past or existing material fact?

Yes _____ No _____

36. If your answer to question 35 is "No," please proceed to Section IV.

If your answer to question 35 is "Yes," please proceed to question 37.

37. Was the representation false?

Yes _____ No _____

38. If your answer to question 37 is “No,” please proceed to Section IV.

If your answer to question 37 is “Yes”, please proceed to questions 39(a) and (b).

39. a. Did Rambus know that the representation was false when it was made?

Yes _____ No _____

b. Did Rambus make the representation recklessly without knowing whether it was true or false?

Yes _____ No _____

40. If your answers to questions 39a and 39b are “No”, please proceed to Section IV.

If your answer to either question 39a or 39b is “Yes”, please proceed to question 41.

Additional Questions Regarding Hynix

41. a. Did Rambus make the representation with an intent to defraud Hynix?

Yes _____ No _____

If your answer to question 41(a) is “No,” please proceed to question 42.

If your answer to question 41(a) is “Yes,” please proceed to the next question.

b. Was Hynix aware of the representation?

Yes _____ No _____

If your answer to question 41(b) is “No,” please proceed to question 42.

If your answer to question 41(b) is “Yes,” please proceed to the next question.

c. Was Hynix aware of the falsity of the representation?

Yes _____ No _____

If your answer to question 41(c) is “Yes,” please proceed to question 42.

1 If your answer to question 41(c) is "No," please proceed to the next question.

2 d. Did Hynix act in reliance upon the truth of the representation?

3 Yes _____ No _____

4 If your answer to question 41(d) is "No," please proceed to question 42.

5 If your answer to question 41(d) is "Yes," please proceed to the next question.

6 e. Was Hynix justified in relying upon the representation?

7 Yes _____ No _____

8 Please proceed to question 42.

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12 **Additional Questions Regarding Nanya**

13 42. a. Did Rambus make the representation with an intent to defraud Nanya?

14 Yes _____ No _____

15 If your answer to question 42(a) is "No," please proceed to question 43.

16 If your answer to question 42(a) is "Yes," please proceed to the next question.

17 b. Was Nanya aware of the representation?

18 Yes _____ No _____

19 If your answer to question 42(b) is "No," please proceed to question 43.

20 If your answer to question 42(b) is "Yes," please proceed to the next question.

21 c. Was Nanya aware of the falsity of the representation?

22 Yes _____ No _____

23 If your answer to question 42(c) is "Yes," please proceed to question 43.

If your answer to question 42(c) is “No,” please proceed to the next question.

d. Did Nanya act in reliance upon the truth of the representation?

Yes _____ No _____

If your answer to question 42(d) is “No,” please proceed to question 43.

If your answer to question 42(d) is “Yes,” please proceed to the next question.

e. Was Nanya justified in relying upon the representation?

Yes _____ No _____

Please proceed to question 43.

Additional Questions Regarding Micron

43. a. Did Rambus make the representation with an intent to defraud Micron?

Yes _____ No _____

If your answer to question 43(a) is “No,” please proceed to question 44.

If your answer to question 43(a) is “Yes,” please proceed to the next question.

b. Was Micron aware of the representation?

Yes _____ No _____

If your answer to question 43(b) is “No,” please proceed to question 44.

If your answer to question 43(b) is “Yes,” please proceed to question 43(c).

c. Was Micron aware of the falsity of the representation?

Yes _____ No _____

If your answer to question 43(c) is “Yes,” please proceed to question 44.

If your answer to question 43(c) is “Yes,” please proceed to question 43(d).

d. Did Micron act in reliance upon the truth of the representation?

Yes _____ No _____

If your answer to question 43(d) is “No,” please proceed to question 44.

If your answer to question 43(d) is “Yes,” please proceed to question 43(e).

e. Was Micron justified in relying upon the representation?

Yes _____ No _____

44. If you answered any one or more of questions 41(e), 42(e) and 43(e) “Yes,” please proceed to question 45. Otherwise, please proceed to Section IV.

45. Do you find that Hynix, Nanya and Micron have met their burden of proving that Rambus’s alleged misrepresentation caused the standard-setting organization, JEDEC, to adopt a standard it otherwise would have rejected?

Yes _____ No _____

46. If your answer to question 45 is “No”, please proceed to section IV.

If your answer to question 45 is “Yes”, please proceed to question 47.

47. Do you find that Hynix, Nanya and Micron have met their burden of proving that the adoption of the standard gave Rambus monopoly power it would not otherwise have obtained?

Yes _____ No _____

48. If your answer to question 47 is “No,” please proceed to section IV.

If your answer to question 47 is “Yes,” please proceed to question 49.

49. a. Did Rambus’s misrepresentation cause Hynix injury?

Yes _____ No _____

b. Did Rambus's misrepresentation cause Nanya injury?

Yes _____ No _____

c. Did Rambus's misrepresentation cause Micron injury?

Yes _____ No _____

Please proceed to section IV.

IV. CLAIM OF CONCEALMENT

50. Did Rambus conceal or suppress a material fact?

Yes _____ No _____

If your answer to question 50 is "No," sign and return this verdict.

If your answer to question 50 is "Yes," then proceed to question 51.

51. a. Was Rambus under a duty to disclose the fact to Hynix?

Yes _____ No _____

b. Was Rambus under a duty to disclose the fact to Nanya?

Yes _____ No _____

c. Was Rambus under a duty to disclose the fact to Micron?

Yes _____ No _____

If your answers to questions 51(a) through (c) are "No," sign and return this verdict.

If you answered any part of question 51 "Yes," then proceed to question 52.

52. Did Rambus intentionally conceal or suppress the fact with the intent to defraud any of the Manufacturers?

Yes _____ No _____

If your answer to question 52 is "No," sign and return this verdict.

If your answer to question 52 is “Yes,” then proceed to question 53.

Additional Questions Regarding Hynix

53. a. Was Hynix aware of the fact at the time it acted?

Yes _____ No _____

If your answer to question 53(a) is “Yes,” please proceed to question 54.

If your answer to question 53(a) is “No,” please proceed to question 53(b).

b. Would Hynix have acted differently if Hynix had known of the concealed or suppressed fact?

Yes _____ No _____

Please proceed to question 54.

Additional Questions Regarding Nanya

54. a. Was Nanya aware of the fact at the time it acted?

If your answer to question 54(a) is “Yes,” please proceed to question 55.

If your answer to question 54(a) is “No,” please proceed to question 54(b).

b. Would Nanya have acted differently if Nanya had known of the concealed or suppressed fact?

Yes _____ No _____

Please proceed to question No. 55.

Additional Questions Regarding Micron

55. a. Was Micron aware of the fact at the time it acted?

Yes _____ No _____

If your answer to question 55(a) is “No,” please proceed to question 55(b).

b. Would Micron have acted differently if Micron had known of the concealed or suppressed fact?

Yes _____ No _____

If you answered one or more of questions 53(b), 54(b) or 55(b) “Yes,” please proceed to question 56. Otherwise, sign and return this verdict.

56. Do you find that Hynix, Nanya and Micron have met their burden of proving that Rambus’s alleged concealment caused the standard-setting organization, JEDEC, to adopt a standard it otherwise would have rejected?

Yes _____ No _____

If your answer to question 56 is “No,” please sign and return this verdict.

If your answer to question 56 is “Yes,” please proceed to question 57.

57. Do you find that Hynix, Nanya and Micron have met their burden of proving that the adoption of the standard gave Rambus monopoly power it would not otherwise have obtained?

Yes _____ No _____

If your answer to question 57 is “No,” please sign and return this verdict.

If your answer to question 57 is “Yes,” please proceed to question 58.

58. a. Did Rambus’s concealment or suppression of the fact cause Hynix injury?

Yes _____ No _____

c. Did Rambus’s concealment or suppression of the fact cause Nanya injury?

Yes _____ No _____

d. Did Rambus’s concealment or suppression of the fact cause Micron injury?

Yes _____ No _____

1 **V. CHECKING AND SIGNING OF VERDICT FORM**

2 You have now reached the end of the verdict form and should review it to ensure it
3 accurately reflects your decisions. The Foreperson should then sign and date the verdict form in
4 the spaces below and notify the Bailiff that you have reached a verdict. The Foreperson should
5 retain possession of the verdict form and bring it when the jury is brought back into the
6 courtroom.

7
8 DATED: _____, 2008

By: _____
Foreperson

1
2 DATED: March 21, 2008

Respectfully submitted,

3 MUNGER, TOLLES & OLSON LLP

4 SIDLEY AUSTIN LLP

5 McKOOL SMITH PC

6
7 By: /s/ Steven M. Perry
Steven M. Perry

8 Attorneys for RAMBUS INC.
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